

2002: The Year That Was

In sharp contrast to the gathering storm of the state budget crisis, the courts had many bright moments in 2002. In September, California attained another court-reform landmark with the Trial Court Facilities Act of 2002. One of eight Judicial Council-sponsored bills signed into law last year, the act established a process for the transition of court facilities from the counties to the state.

Earlier in the year, new rules increased public access to court records. One-day or one-trial jury service was finally implemented in every eligible court in the state. Trial courts made great strides in financial and human resources management. The Judicial Council successfully defended the state's new ethics standards for arbitrators in a suit filed by the New York Stock Exchange and the National Association of

Securities Dealers. New collaborative justice courts offered additional innovative solutions to social problems. Chief Justice Ronald M. George accepted one of the nation's highest judicial honors on behalf of the entire court system.

For this first annual chronology of state court administration, *Court News* consulted official and non-official sources: news releases, regional press, the legal dailies, memoranda, Web reports, calendars, and, of course, its own back issues. Although the resulting timeline of California court history in 2002 is far from exhaustive, it should provide a helpful glance at the old year as we embrace the new.

We welcome additions to this overview and encourage trial court contributions in 2003. Send your comments to courtnews@jud.ca.gov.

January

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◆ New rules of court—affecting areas such as the responsibilities of administrative presiding justices and appellate court clerk/administrators, access to court records, and child custody investigators—are implemented at courts statewide.

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◆ The Supreme Court's Advisory Task Force on Multijurisdictional Practice presents its final report on the practice of law in California by attorneys who are not members of the California State Bar.

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◆ The Administrative Office of the Courts (AOC) launches PINetwork, a new public information resource and sharing tool for court staffs involved in communications and media/community outreach.

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◆ Governor Gray Davis presents his proposed budget for fiscal year 2002–2003, which includes \$2.8 billion for the judiciary.

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◆ The Legislative Analyst's Office warns lawmakers that the Governor's proposed 2002–2003 budget is overly optimistic, relies heavily on one-time solutions, and pushes a variety of expenses to the future.

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◆ The Data Integration/Criminal Justice Information Exchange *Phase 1 Report* provides an assessment of the automated interfaces between the trial courts and

both the Department of Justice and the Department of Motor Vehicles.

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◆ The California Supreme Court adopts a new procedure for habeas corpus investigative expenses.

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◆ Courts in the Southern Region begin work on the Southern Technology Project, an integrated scalable case management system that can operate in courts of all sizes.

◆ The Judicial Council hosts the Trial Court Budget Conference in San Francisco.

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◆ Joining the state's six appellate districts, the California Supreme Court begins to provide up-to-date online information about pending high court cases.

◆ More than 100 Judicial Council members, past and present, together with special guests from the judicial branch and its sister branches of government, gather at a dinner in San Francisco to celebrate the 75th anniversary of the Judicial Council of California.

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◆ At a business meeting, the Judicial Council receives the first branchwide annual report for fiscal year 2000–2001 from the trial courts, approves new guidelines for allocation and tracking of the Trial Court Improvement Fund, and approves a draft of a report on the Drug Court Partnership Act.

◆ The council hosts the eighth annual California Judicial Ad-

ministration Conference (CJAC) in San Francisco, with the theme "Setting the Compass: The Business of the Courts." For the first time, a post-CJAC interactive Web site on Serranus provides visitors with results from discussion groups, comments and concerns, and ideas raised during the conference.

February

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◆ Superior Court of San Francisco County Judge Donna J. Hitchens receives the Benjamin Aranda III Access to Justice Award.

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◆ The Criminal Courts Building in downtown Los Angeles is renamed the Clara Shortridge Foltz Criminal Justice Building in memory of the first female lawyer in California.

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◆ Continuing its development of satellite education, AOC-TV offers its first educational satellite broadcast for the appellate courts: "Identifying Recusal Issues."

◆ The Justice at Stake Campaign, a national nonpartisan partnership working to keep courts fair and impartial, releases a report on a survey of state court judges and justices that expresses concern over state judicial elections.

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◆ Three weeks after the California Legislature cut \$2.2 billion from the 2001–2002 state spending plan, the Legislative Analyst's Office says the budget

shortfall is \$5 billion more than projected by Governor Davis.

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◆ The AOC launches the California Courts Online Press Center, providing the media with quick and easy access to information on the California judicial system.

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◆ The AOC's Center for Families, Children & the Courts (CFCC) releases its *Report on Caregivers and the Courts: Improving Court Decisions Affecting Children in Foster Care*.

March

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◆ At a business meeting, the Judicial Council approves priorities for the superior courts' nearly \$2.5 billion budget.

◆ A study of drug courts by the state Department of Alcohol and Drug Programs and the Judicial Council finds that California's drug courts are effective in improving lives and reducing drug use and criminal offenses.

◆ A Judicial Council report on the Access to Visitation Grant Program in California concludes that in its first five years the federal program has achieved the goal of encouraging healthy parent-child relationships by substantially increasing safe and affordable visitation options.

◆ The Judicial Council approves the allocation of \$800,000 in funding to the courts as part of the Access to Visitation Grant Program.

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◆ In judicial elections conducted around the state, 10 judges retain their seats, 13 new judges are elected (11 of those fill seats open due to retirement), and 24 races require runoff elections, to be held in November.

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◆ The California Supreme Court creates a new unit to assist it in considering death penalty cases.

◆ The Second Appellate District launches the first electronic filing (e-filing) pilot project in the California appellate courts.

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◆ In his seventh annual State of the Judiciary address, Chief Justice Ronald M. George tells lawmakers that despite the state's economic downturn, state courts will continue to provide vital services to the public through redirection of resources, innovation, and collaboration with other branches of government and the public.

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◆ Superior Court of Santa Clara County Judge Rise Jones Pichon is elected chair of the Commission on Judicial Performance.

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◆ The AOC's Finance Division debuts its new site on Serranus, which provides updates on financial resources, sample forms, a policies and procedures manual, and contact information.

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◆ Retired Court of Appeal (Second Appellate District) Justice Bernard S. Jefferson, a distinguished jurist and leader in judicial education, dies in Los Angeles at the age of 91.

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◆ AOC-TV debuts *CJER Presents*, a series of satellite broadcasts that includes weekly orientations for new court employees and continuing education for supervisors and other employees.

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◆ The AOC's Center for Judicial Education and Research (CJER) holds its Family Law and Procedure Institute in Long Beach.

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◆ CFCC's 16th annual Family Court Services Statewide Education Institute takes place in Long Beach.

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◆ The California Supreme Court grants additional payment options to capital counsel and increases training opportunities for attorneys representing death row inmates.

April

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◆ The AOC begins collaborating with the superior courts to build a human resources management information system (HRMIS) for the judicial branch.

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◆ AOC-TV debuts *California Courts News* (CCN) with a special report on the Chief Justice's State of the Judiciary address.

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◆ The Chief Justice appoints a new statewide task force to address pressing issues involved in the creation of the verbatim record.

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◆ CJER's Fairness Education Committee, in collaboration with the Judicial Council's Access and Fairness Advisory Committee, sponsors California's first Statewide Conference on Race and Ethnic Bias in the Courts.

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◆ At its business meeting, the Judicial Council adopts comprehensive ethics standards for contractual arbitrators in California, adopts mandatory statewide Standards of Conduct for Mediators in Court-Connected Mediation Programs for Civil Cases, adopts a rule of court (effective July 1) that establishes the primary duty of subordinate judicial officers, and approves funds for five pilot self-help projects as part of the Model Self-Help Centers Pilot Program.

May

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◆ Courts observe Law Day with a variety of outreach activities, many involving local bar associations.

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◆ Courts observe Juror Appreciation Week. The AOC distributes a new juror orientation video and related educational materials to courts statewide. In Orange County, a new jury assembly room opens to rave reviews.

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◆ The Governor's May Budget Revision estimates a \$23.6 billion deficit for the state and additional one-time reductions of \$62 million in the judiciary budget.

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◆ Following recommendations of the Judicial Administration Institute of California (JAIC), the CJER Governing Committee votes to transform JAIC into an annual conference for court managers and others responsible for local court operations.

◆ CFCC hosts the Family Violence and the Courts conference in Anaheim.

◆ The Governor appoints AOC Scholar in Residence Clark Kelso as interim head of the Department of Information Technology.

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◆ In a case involving a 1995 shooting in a Los Angeles courthouse, the state Supreme Court rules that government entities are not liable for crimes that occur on public property.

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◆ The Department of Criminology, Law and Society at the University of California at Irvine releases a study confirming the benefits, to both court users and staff, of I-CAN, the Interactive Community Assistance Network at the Superior Court of Orange County.

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◆ The Judicial Council approves the allocation of \$1.3 million from the Judicial Administration Efficiency and Modernization Fund as part of phase one of the Unified Courts for Families–Mentor Courts Program.

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◆ The council releases the *2002 Court Statistics Report*, which provides detailed workload information for the state and for each of the 58 counties.

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◆ The AOC's Northern/Central Regional Office opens its new permanent office in Sacramento.

June

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◆ CFCC launches the CASA–Attorney Collaboration Demonstration Project, a study to detail the ways in which attorneys and Court Appointed Special Advocates interact and to improve their collaboration in order to meet the needs of children in abuse and neglect cases.

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◆ The AOC distributes funding to superior courts to support interpreter services in family law cases in which domestic violence protective orders have been sought.

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◆ CJER hosts the two-week-long 36th annual B. E. Witkin Judicial College of California in Berkeley.

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◆ The Superior Court of Los Angeles County's downtown county courthouse and the Clara Shortridge Foltz Criminal Jus-

tice Center become the final eligible courthouses in the state to implement the one-day or one-trial jury system in California.

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◆ In recognition of the many drug court activities and programs being promoted throughout the state, the National Association of Drug Court Professionals honors California with its National Drug Court Month Award.

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◆ State Bar board members name Santa Barbara attorney James Herman the association's new president for 2002–2003, effective in October.

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◆ In a landmark free speech ruling affecting judicial campaigns, the U.S. Supreme Court strikes down limits on what some judicial candidates may tell voters.

◆ The California Judges Association names Keenan Casady its new director, succeeding Constance Dove.

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◆ The AOC provides funding for 22 courts to introduce Web-based or interactive voice-response telephone systems for juror information.

July

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◆ The Task Force on Court Facilities releases guidelines for the functional components that will be required in most courthouses in California.

◆ New statewide rules for public access to electronic court records go into effect.

◆ New uniform rules governing civil case management in California's 58 superior courts are established, encouraging judges to take a hands-on, active role in the management of pretrial litigation.

◆ Berkeley Policy Associates submits to the Judicial Council a report concluding that CASA programs have given a voice to thousands of youths in dependency proceedings and have developed innovative strategies to meet the needs of those involved in the dependency system.

◆ The AOC distributes plain-language domestic violence forms translated into Spanish, Chinese, Korean, and Vietnamese.

◆ The AOC publishes a revised edition of the *Handbook for Conservators*.

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◆ In partnership with California's multilingual ethnic media, the AOC launches a statewide court interpreter recruitment campaign titled "One Law, Many Languages." During the life of the program, visits to the California courts' interpreter Web site double and phone inquiries quadruple.

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◆ The AOC hosts the three-week Court Clerk Training Institute at Stanford University in Palo Alto.

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◆ Chief Justice George announces that, effective January 1, 2003, retired judges who wish to serve on assignment in the state's trial and appellate courts will not be permitted to engage in private dispute resolution for compensation.

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◆ CFCC releases the *Peer Assessment and Compliance Review (PACR) Aggregate Report*, which details accomplishments, strategies, and common challenges of Court Appointed Special Advocate programs.

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◆ The AOC appoints Christine Patton, Executive Officer of the Superior Court of Santa Cruz County, its new administrative director of the Bay Area/Northern Coastal Region.

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◆ Los Angeles County arranges for the 5,000th child to be adopted into a permanent family through the superior court's Adoption Saturdays program, which began in 1998.

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◆ In a statewide AOC-TV satellite broadcast, the AOC's Human Resources Division presents the results of and uses for the Trial Court Classification and Compensation Study. The study provides court administrators with a model that they may use to establish consistency in classification plans and set market-based salary ranges for their courts.

August

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◆ The AOC releases the second edition of the *Trial Court Financial Policies and Procedures Manual*, developed to assist the trial courts in complying with statutory requirements and administrative policies and procedures for trial court fiscal management.

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◆ The California Supreme Court appoints a new panel to draft rules and procedures for out-of-state lawyers, modifying current restrictions on the practice of law in California by attorneys who are not members of the California State Bar.

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◆ The Judicial Council names 10 new members to two-year terms: 5 judges, 1 court commissioner, 2 court executive officers, and 2 attorneys.

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◆ Paying traffic tickets gets easier for millions of Californians when the popular *My California* portal on the state Web site adds links to superior court sites that offer online traffic citation programs.

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◆ The AOC holds the first in a series of bench-level focus groups to ensure that judges' needs are incorporated into the many statewide technology initiatives being implemented in the judicial branch.

◆ CFCC hosts the second annual Juvenile Delinquency and the Courts Conference at the Berkeley Marina.

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◆ Attorneys for the Judicial Council move to dismiss the NYSE/NASD federal court challenge to California's ethics standards for arbitrators.

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◆ AOC Education Director Karen Thorson receives the 2002 Warren E. Burger Award from the National Center for State Courts.

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◆ The First District of the Court of Appeal becomes the first California court to implement new ethics rules for mediators in court-connected mediation programs for civil cases.

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◆ At a business meeting in San Francisco, the council approves a proposed fiscal year 2003–2004 budget for state superior courts and follows a recommendation of the Subordinate Judicial Officer Working Group, directing AOC staff to prepare an implementation plan for substantive and structural changes in the duties and titles of subordinate judicial officers.

September

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◆ The Judicial Council and the Center for California Studies of California State University at Sacramento assign 10 new fel-

lows to the Judicial Administration Fellowship Program. The program develops professionals and leaders by educating them in the growing complexities of the court system.

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◆ Held in Sacramento, CJER's new annual conference for supervisors and managers—the Judicial Administration Institute of California—gives participants knowledge and skills with day-to-day usefulness for implementing policies and operational procedures in the courts.

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◆ In San Francisco, Chief Justice George addresses a noon-time gathering of state and federal workers on the Day of Remembrance, held to honor the victims of the previous year's terrorist attacks.

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◆ The Governor signs Assembly Bill 2879, which makes improvements to judges' retirement systems and adjusts assigned judges' compensation accordingly.

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◆ The Superior Court of Los Angeles County approves a plan for "rational contraction" of the court.

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◆ The AOC hosts the sixth annual AB 1058–Child Support Training Conference in San Francisco, which brings together child support commissioners, family law facilitators, and other court staff to share their perspectives on the child support system.

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◆ The Governor signs Assembly Bill 3027, which requires all parties demanding a jury trial to deposit advance jury fees at the same time; addresses service of opposition and reply papers in summary judgment proceedings; and makes clarifying procedural changes related to small claims, local rules, administration of oaths, and intracounty venue.

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◆ CFCC hosts a Unified Courts for Families Symposium in San Jose, bringing together family and juvenile courts from 31 counties to learn about national and statewide efforts to unify or coordinate family and juvenile proceedings.

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◆ Senate Bill 2011 allows the courts to self-insure, as other state agencies do, and establishes a Judicial Branch Workers' Compensation Fund to pay claims.

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◆ Several AOC directors, along with judicial officers and court executive officers from California, attend the 9-11 Summit in

New York, which focuses on safety and security issues facing the courts.

◆ The Superior Court of Ventura County distributes 17,000 copies of a Spanish-language version of its annual report and guide to court programs and services (published in a user-friendly, magazine-style format) in the September 26 edition of *Vida*, the county's primary Spanish-language newspaper.

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◆ The Governor signs Senate Bill 1396, requiring each of California's 58 trial courts to prepare and implement a court security plan and requiring each sheriff or marshal to prepare and implement a law enforcement security plan.

◆ The Governor signs Assembly Bill 2321, which establishes the Judicial Council as the governing body of the courts for the purposes of the Tort Claims Act.

◆ The Governor signs Assembly Bill 3028, which includes numerous substantive and technical changes pertaining to court operations, such as a provision allowing courts to hold sessions in other counties with the consent of the parties involved.

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◆ The Governor signs Senate Bill 371, which provides that, beginning July 1, 2003, the trial courts must employ trial court employees in the place of independent contractors to perform most spoken-language interpreting of trial court proceedings.

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◆ At a signing ceremony with the Chief Justice, Governor Davis signs the landmark Trial Court Facilities Act of 2002, which shifts the governance of the state's courthouses from the counties to the state. The bill was one of eight successful council-sponsored bills to be signed into law during the 2001–2002 Legislative Session.

October

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◆ In an unprecedented outreach effort, the California Supreme Court, in coordination with the Court of Appeal, Fifth Appellate District, holds a special session of its oral argument calendar in Fresno. The session is broadcast live on television, allowing thousands of individuals to see the court in action.

◆ The AOC's Human Resources Division unveils its new site on Serranus, including information on benefits, classification, legislation and rules of court, recruitment, training and education, labor relations, and personnel policies.

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◆ The AOC hosts the 2002 Judicial Branch Human Resources Conference in Universal City, with the theme “HR—Under Construction.”

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◆ The Superior Court of Fresno County opens the first self-help center in the state designed specifically for Spanish-speaking litigants.

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◆ In a first-of-its-kind session at the State Bar Annual Meeting in Monterey, members of the Judicial Council brief attorneys on the radical changes in court administration.

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◆ At the State Bar meeting, the Chief Justice delivers his State of the Judiciary address, highlighting recent reforms in the courts and initiatives to improve the administration of justice.

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◆ At a ceremony at the U.S. Supreme Court in Washington, D.C., Chief Justice George receives the William H. Rehnquist Award for Judicial Excellence, among the nation’s highest judicial honors.

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◆ Justice Mildred Lillie, the longest-serving judge in California history and one of the first female appellate justices in the state, dies at her home in Los Angeles at the age of 87.

November

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◆ Chief Justice George signs a declaration proclaiming November to be Court Adoption and Permanency Month in California.

◆ At a business meeting in San Francisco, the council approves: the first minimum standards for attorneys appointed to represent death penalty defendants in state trial courts; the second installment of major revisions to the rules governing court practice and procedure in the state’s appellate courts; statewide rules standardizing electronic filing and service of documents in trial courts; a recommendation from the Task Force on Judicial Service for a three-year pilot program that allows jurists, subject to a council-appointed committee, to take four-month paid educational sabbaticals; a new rule establishing minimum qualification and training standards for subordinate judicial officers (SJOs); plain-language forms for domestic violence restraining orders and adoptions; new and amended rules to comply with legislation and the council’s re-

quest to define the role, responsibilities, and limitations of guardians ad litem under the Child Abuse and Prevention Treatment Act; and new and amended rules and forms to modernize the management and administration of the courts through uniform rules of practice and procedure.

◆ Chief Justice George appoints new members to Judicial Council advisory committees.

◆ The Judicial Council approves a total of \$166,000 in Community-Focused Court Planning Initiative grant awards. The grants assist courts in community outreach and education.

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◆ Several contested positions throughout the state require runoffs after the March 5, 2002, judicial elections. Two judges retain their seats, 21 new judges are elected to fill seats open due to retirement, and 2 new judges win runoff elections with incumbents.

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◆ Sacramento’s historic Library and Courts Building is renamed for the late Supreme Court Justice Stanley Mosk.

◆ CJER hosts the Genetics and the Courts Conference in North Lake Tahoe.

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◆ U.S. District Court Judge Samuel Conti dismisses the NYSE/NASD challenge against the state’s ethics standards for contractual arbitration.

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◆ The Collaborative Justice Courts Advisory Committee and CJER present a special AOC-TV broadcast for court staff and community partners to learn about and discuss mental illness and mental health courts.

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◆ CFCC releases *Domestic Violence in Court-Based Child Custody Mediation Cases in California*, a report that analyzes the prevalence of interpersonal violence among parents involved in child custody mediation.

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◆ The newly created Judicial Branch Budget Advisory Committee holds its first meeting in San Francisco.

◆ The California Supreme Court appoints new State Bar Court judges.

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◆ Just one lawyer is available for every 10,000 poor Californians, and only 28 percent of the civil legal needs of the state’s poor and low-income residents are being met, according to *The Path to Equal Justice*, a report

released by the California Commission on Access to Justice.

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◆ The Judicial Council’s Executive and Planning Committee approves the distribution of \$1,723,750 in grant funding to assist courts in establishing or expanding volunteer child advocate projects.

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◆ Governor Davis issues an executive order directing state agencies and departments to reduce spending by canceling orders for new equipment, cutting travel expenses, and postponing nonessential contracts. The Governor asks the legislative and judicial branches to join the spending freeze.

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◆ The Commission on Judicial Performance (CJP) releases a report on cases from 1990 to 1999 in which discipline was either imposed by the CJP or imposed by the California Supreme Court at the commission’s recommendation.

December

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◆ A pilot test of a new electronic financial system for the state’s judicial branch begins in Stanislaus County.

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◆ CFCC’s Beyond the Bench XIV conference, “Riding the Waves of Change,” takes place at the Pasadena Convention Center and focuses on child welfare issues.

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◆ Governor Davis announces his plan for a \$10.2 billion spending reduction package that includes cuts, recaptures, and other adjustments for fiscal year 2002–2003, including \$60 million in cuts to the judicial branch budget and proposed cuts of \$240 million for fiscal year 2003–2004.

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◆ CFCC releases *The Basics of Child Support for Incarcerated Parents*, which provides general information and answers to commonly asked questions on child support and the court process for incarcerated parents.

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◆ The Judicial Council approves the allocation of \$950,000 in partnership grants to the State Bar Legal Services Trust Fund Commission. The commission distributes the funds to legal service providers for use in joint programs with courts to provide legal assistance to self-represented litigants.

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◆ At its business meeting in San Francisco, the council: approves changes to its recently adopted ethics standards for neutral arbitrators in contractual arbitration; adopts a new rule of court that creates the Court Security Working Group; adopts a new rule of court establishing guidelines for the management of all claims and lawsuits affecting the council, the AOC, and the courts; and votes to support proposed bills that would permit the conversion of some SJO positions to judgeships in state trial courts, continue payment for court-appointed defense counsel in the state’s appellate courts during future budget impasses, permit courts to order publication of a service of summons in newspapers outside the state, and delete a requirement that each prospective juror be given “an opportunity to elect to serve on a jury with respect to a trial held anywhere in the county.”

◆ The Judicial Council announces the 2002 Distinguished Service Awards, the highest honor for those who demonstrate extraordinary leadership and make significant contributions to the administration of justice in California.

◆ The Judicial Council announces the recipients of the 2002 Ralph N. Kleps Award for Improvement in the Administration of the Courts, honoring the contributions made by individual courts to the administration of justice.

◆ Just days after the Governor proposes reductions in the 2002–2003 and 2003–2004 State Budgets—including sizeable cuts for the judiciary—the Chief Justice addresses the implications of the state’s financial challenges for the judicial branch at the Judicial Council meeting in San Francisco.

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◆ The newly created Trial Court Executive Management Budget Working Group meets for the first time in San Francisco to discuss the budget development process and priorities for the judicial branch.

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◆ Administrative Director of the Courts William C. Vickrey is recognized with an award for his 10 years of service as head of the AOC.

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◆ In a cost-cutting measure by the court to offset budget reductions, many employees of the Superior Court of Placer County begin a voluntary two-week furlough for the holidays.